

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Arnold KELLER

Application No.: 10/501,090

Confirmation No.: 3052

Filed: January 10, 2003

Art Unit: 3775

For: SURGICAL INSTRUMENT FOR GRINDING
THE COTYLOID CAVITY

Examiner: Richard R. Shaffer

RESPONSE TO ELECTION REQUIREMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Action mailed March 13, 2009, Applicant elects to prosecute Species I, claims 1-9, 14-16, and 28-30, *with partial traverse*.

Applicant suggests that this application comprises two inventions. In invention I, the instrument comprises a femur attachment part 11, 13 which is arranged on the instrument head opposite the grinder. A femur attachment part of this type is illustrated in FIGS. 1, 3, 4 and 5. In invention II, the instrument comprises a handle which is connected to the instrument head via a bow 17, 33 located outside of the rotation axis. The bow is illustrated in FIGS. 2 and 5. The embodiment of FIG. 5 thus combines the features of invention I and invention II.

In view of the above, Applicant wishes to elect invention I for the further prosecution of this application. The election requirement is traversed in the context of invention I, since the species of FIGS. 1, 3, 4 and 5 are linked by the common feature of a femur attachment part opposite the grinder.

In the event the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **246472006900**.

Dated: April 13, 2009

Respectfully submitted,

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